

**MINUTES OF A WORKSHOP/MEETING OF THE GOVERNING BOARD
OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT
HELD AT DISTRICT HEADQUARTERS,
3301 GUN CLUB ROAD, WEST PALM BEACH, FL
WEDNESDAY, JUNE 14, 2000
9:00 A.M.**

The following **Board Members** were present

Michael Collins
Vera Carter
Michael Minton
Mitchell Berger
Nicolas Gutierrez
Gerardo Fernandez
Harkley Thornton

CALL TO ORDER

1. Board questions for staff about any items on Thursday's Regular Meeting Agenda or Regulatory Consent Agenda.

Dr. Gleason questioned items 6, 8, and 20.

Mr. Minton questioned item 18.

Ms. Williams questioned items 11, 13, and 19.

2. Board Review and Approval of the Agenda.

Board Members approved the agenda.

3. Water Conditions Report/CSS Sparrow Update

Mr. Tommy Strowd, Department Director, Operations Control, presented information on Water Conditions. A copy of the material used in his presentation is included in the official record of this meeting.

Mr. Dewey Worth, Lead Environmental Scientist, Water Resources Management, Watershed Research and Planning Division, Everglades

Department, presented information on the status of the Cape Sable Seaside Sparrow. A copy of the material used in his presentation is included in the official record of this meeting.

Mr. Steve Forsythe, U.S. Fish and Wildlife Service, commented on this item. His comments are included in a videotape of this meeting. The videotape is available on request.

4. Water Shortage Discussion

a. Concur with, modify, or rescind Emergency Water Shortage Order No. 00-56 DAO-WS.

Mr. Dean Powell, Deputy Director, Water Supply Division, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting. He said staff recommends approval.

Motion by Mr. Minton to concur with, modify, or rescind Emergency Water Shortage Order No. 00-56 DAO-WS, "Order Declaring a Water Shortage Emergency within Portions of St. Lucie County Agricultural Area Water Use Basin", pursuant to sections 373.175 and 373.246, F.S. Motion approved.

b. Concur with, modify, or rescind Emergency Water Shortage Order No. 00-57 DAO-WS, "Declaration of a Water Shortage Emergency and Imposition of Phase II Severe Water Shortage Restrictions for Caloosahatchee River Water Use Basin, Caloosahatchee River Watershed North, Caloosahatchee River Watershed South, South-Hendry County/L-28 Gap Water Use Basin, Fakahatchee North Water Use Basin, Fakahatchee South Water Use Basin, and Coastal Collier County Water Use Basin and Imposition of Increased Monitoring and Reporting Requirements Pursuant to Rule 40E-21.401, F.A.C.", pursuant to sections 373.175 and 373.246, F.S.

Mr. Powell presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting. Mr. Powell said staff recommends approval.

Motion by Ms. Williams to concur with, modify, or rescind Emergency Water Shortage Order No. 00-57 DAO-WS, "Declaration of a Water Shortage Emergency and

Imposition of Phase II Severe Water Shortage Restrictions for Caloosahatchee River Water Use Basin, Caloosahatchee River Watershed North, Caloosahatchee River Watershed South, South-Hendry County/L-28 Gap Water Use Basin, Fakahatchee North Water Use Basin, Fakahatchee South Water Use Basin, and Coastal Collier County Water Use Basin and Imposition of Increased Monitoring and Reporting Requirements Pursuant to Rule 40E-21.401, F.A.C.”, pursuant to sections 373.175 and 373.246, F.S. Motion approved.

Board Members agreed to consider item 6 at this time.

6. Update on the Comprehensive Everglades Restoration Plan with an overview of Lower East Coast related projects.

Mr. Tom Teets, Senior. Supervising Planner, Water Supply Division, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

The following members of the public commented on this item. Their comments are included in a videotape of this meeting. A copy of the videotape is available on request.

Mr. Max Quackenbos, Martin County Conservation Alliance.
Ms. Rosa Durando, Audubon Society of the Everglades.

7. Upper East Coast Citrus Best Management Practices for Water Quality and Quantity

Mr. Shawn Sculley, P.E, Director, Coastal Ecosystems Department, Water Research and Planning Division, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Mr. Brian Boman, Ph.D., P.E., Associate Professor of Agricultural Engineering, University of Florida, IFAS, presented a five-minute video featuring field application of BMPs as part of his presentation.

Mr. Chuck Aller, Director of the Office of Water Policy, Florida Dept. of Agriculture and Consumer Services, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

The following members of the public commented on this item. Their comments are included in a videotape of this meeting. A copy of the videotape is available on request.

Mr. Stan Carter, Indian River Citrus League.
Mr. Dominick Scotto, BMP Implementation Committee.
Dr. Paul Gray, Audubon of Florida.
Mr. Rick Hurley, Becker Groves.

Board Members agreed to consider item 5 at this time.

5. Lake Okeechobee Managed Recession Plan

Mr. Finch noted that Mr. David Struhs, Secretary, Florida Department of Environmental Protection, and Colonel Joseph Miller, U.S. Army Corps of Engineers, toured Lake Okeechobee recently by air. Mr. Finch said a tree-planting initiative to restore native plant species to the Lake Okeechobee littoral zone has received enthusiastic support from state and local officials.

Mr. Lewis Hornung, Chief Engineer, Okeechobee Department, Watershed Research and Planning Division, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

The following members of the public commented on this item. Their comments are included in a videotape of this meeting. A copy of the videotape is available on request.

Mr. David Hazellief, Commissioner, Lee County and Member, Martin, St. Lucie and Lee County Coalition.

Ms. Elmira Gaaney, Commissioner, Martin County and Member, Martin, St. Lucie and Lee County Coalition.

Ms. Mary Ann Poole, Florida fish and Wildlife Conservation Commission.

Mr. Mark Perry, Florida Oceanographic Society.

Mr. W.E. "Ted" Guy, St. Lucie River Legal Defense Fund.

Mr. Wayne Nelson, Fishermen Against Destruction of the Environment.

Mr. Kevin Henderson, St. Lucie River Initiative.

Mr. Carl Leonard, an Okeechobee resident.

GENERAL PUBLIC COMMENT

Mr. Charles Yurgalevitch, South Dade Soil and Water Conservation District, commented on funding for the Mobile Irrigation Laboratory program. His comments are included in a videotape of this meeting. A copy of the videotape is available on request.

8. Update on Equity in Contracting Plan

Mr. Aaron C. Weeks, Analysis & Compliance Manager, Equity in Contracting, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

9. Audit Committee Meeting

Mr. Mitchell Berger, Governing Board Member, Chairman of the Audit Committee. Called the Audit Committee meeting to order at this time. The minutes of the Audit Committee meeting are available as a separate document.

10. Construction of a Receiving and Facilities Support Building at H.Q.

Mr. John Creswell, Facilities Engineer, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Action on this item is recommended Under Item III.A.3.a. of the Thursday, June 15, Governing Board Consent Agenda.

BOARD COMMENT

Chairman Collins noted that a Budget Workshop has been scheduled for June 28, 2000.

Chairman Collins noted that a Governing Board Retreat may need to be scheduled for July or August.

ADJOURNMENT

There being no further business to come before the Board, the Workshop meeting was adjourned at 4:00 p.m.

MICHAEL COLLINS, CHAIRMAN

(Corporate Seal)

Attest:

FRANK FINCH, SECRETARY

/aab

**MINUTES OF A MEETING OF THE GOVERNING BOARD
OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT
HELD AT OFFICES OF THE DISTRICT,
3301 GUN CLUB ROAD, WEST PALM BEACH FLORIDA
THURSDAY, JUNE 15, 2000
8:30 A.M.**

The following **Board Members** were present

Michael Collins, Chairman
Michael Minton
Vera Carter
Mitchell Berger
Nicolas Gutierrez
Patrick Gleason
Trudi Williams
Harkley Thornton
Gerardo Fernandez

Frank R. Finch, Executive Director

I Governing Board Administrative Business

A. Board Business

1. Call to Order

The meeting was called to order at 8:30 a.m. by Chairman

2. Inspiration/Pledge of Allegiance

The inspiration and Pledge of Allegiance followed the opening of the meeting.

3. Employee Recognitions

a. Years of Service Award Presentation

25 Years of Service

I A. 3. a.

Board Members and Mr. Finch presented the District's 25 Year Service Award to Ms. Susan Coughanour, Senior Planner, Land Management Department, Vegetation and Land Management Division, Water Resource Operations Business Group.

b. Mr. Jerry Fernandez, Chairman of the Human Resources Committee, will recognize May's Selection

I A. 3. b. Employee of the Month

Mr. Fernandez, Chairman, Human Resource Committee, recognized Mr. Frank Mumby, Senior Accountant, Finance Department, Finance and Administration Division, Corporate Resources Business Group, as Employee of the Month.

4. Approval of Agenda

A copy of the revised Agenda is included in the official record of this meeting.

5. Approval of Minutes

Motion by Mr. Berger to approve the Minutes as revised. Motion approved.

6. 8.5 Square Mile Area Issue

I A. 6. Consideration of the Locally Preferred Alternatives as included in the Army Corps of engineer's

General Reevaluation Report/Supplemental Environmental Impact Statement on the 8.5 Square Mile Area

Mr. Dewey Worth, Lead Environmental Scientist, Everglades Dept., Watershed Research and Planning, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

The following members of the public commented on this item (a videotape of their comments is available upon request:

Mr. Richard Pettigrew, a Coral Gables resident and former Chairman of the Governor's

- Commission for a Sustainable South Florida.
Mr. Mike Black, a Miami resident.
Florida State Representative Manuel Prieguez, representing District
113.
Ms. Madeleine Fortin, a Miami resident.
Mr. Dexter Lehtinen, representing the Miccosukee Tribe of Indians
of Florida.
- Mr. Herb Zebuth, a Royal Palm Beach resident.
Mr. Richard Ring, Superintendent, Everglades National Park.
Mr. Don Cinquina, National Audubon Society.
Mr. Charles Lee, Florida Audubon Society.
Mr. Jonathan Ullman, The Sierra Club.
Ms. Erin Deady, Audubon of Florida.
Ms. Mary Barley, Save Our Everglades.
Mr. John Calla, a Miami resident.
Mr. Armando Prieto, a Miami resident.
Mr. Robert Perez, a Boca Raton resident.
Ms. Florette Braun, Florida Power and Light.
Mr. Armando Pomar, a Miami resident.
Ms. Alice Pena, a Miami resident.
Ms. Shannon Estenoz, World Wildlife Fund.
Mr. Terry Rice.
Ms. Betty Wilson, a Miami resident.
Mr. Carlos Aguilera, a Miami resident.
Mr. Jorge Garcia, a Miami resident.
Ms. Isabel Rodriguez, a Miami resident.
Ms. Joette Lorion, a Miami resident.
Mr. Nelson Ruiz, a Miami resident.
Ms. Edicta Gomarron, a Miami resident.
Mr. Ramon Salcedo, a Miami resident.
Mr. Eladio Valdes, Valdes Farm, Inc.
Ms. Editia Salcedo, a Miami resident.
Mr. Julio Concepcion, a Miami resident.
Ms. Juana Fernandez, a Miami resident.
Mr. Sanabria Abilio, a Miami resident.
Mr. Christian Silva, a Miami resident.
Ms. Maria Gonzalez-Rauchmann, a Miami resident.
Mr. John Arthur Marshall, Arthur R. Marshall Foundation.
Ms. Iliana Morejon, a Miami resident.

Mr. Gutierrez offered the following motion:

Due to the features of Alternative 6D that optimize protection of wetlands and minimize impacts to landowners within the 8.5 square mile area (SMA), I move that the Board identify Alternative 6D as the optimal plan for the

Modified Water Deliveries Project to Everglades National Park subject to the following design, feature enhancements and conditions:

- (a) The Perimeter Levee's location and footprint should maximize the amount of wetlands included in the buffer area, following the approximate boundary in Alternative 6D.**
- (b) The Internal Levee and seepage canal system should be optimized to minimize impacts to the residents of 8.5 SMA. For example, the levee's location should avoid residences where practicable. Upon exhaustion of reasonable efforts to avoid landowner impacts, residents should receive fair market value or be provided equivalent property at no expense to themselves.**
- (c) Water quality treatment should be provided for the runoff to meet state water quality standards and not cause degradation of ambient conditions.**
- (d) Alternative 6D, including all required lands, should become a project feature of the Modified Water Deliveries Project. Therefore, construction and land acquisition shall be implemented through full federal funding, programs and/or procedures, consistent with the 1994 Project Cooperation Agreement.**

- (e) The potential for flooding of landowners which are east of the proposed levee, before and after project implementation is unchanged consistent with the federal Supplemental Environmental Impact Statement. Flood mitigation, not flood protection, should be provided by the design, construction and operation of Alternative 6D as enhanced herein.
- (f) Miami-Dade County is strongly encouraged to enforce existing land use ordinances in order to preserve existing uses and densities, and sustain a willing seller program for all lands within the entire 8.5 square mile area.
- (g) For those lands within the 8.5 square mile area which fall east of the proposed levee, a willing seller program, free from fear of condemnation, for all lands should be continued utilizing appropriate and available programs and funds. The District shall utilize its regulatory authority to protect the water resources of the area and undertake rulemaking where necessary to address secondary and cumulative impacts. The District shall also exercise its authority to review any comprehensive plan amendments proposed by Miami-Dade County.
- (h) Implementation of Alternative 6D, as enhanced above, should not adversely harm the restoration levels of Everglades National Park's hydrology greater than that simulated through modeling of Alternative 6D.

Amended Motion by Mr. Berger to include the Locally Preferred Option (LPO). Motion fails for lack of a second.

Chairman Collins called the question on Mr. Gutierrez' original motion.

Motion approved. Nay - Ms. Carter.

7. Board Members Identify Items Pulled from Consent

Agenda

Mr. Minton: III.C.1.h.
Ms. Williams: III.C.1.a,c,i
Dr. Gleason: III.A.1.b, III.A.3.b, III.C.1.J

8. Consideration of Future Meeting Dates

Chairman Collins announced a Budget Workshop scheduled for June 28, 2000.

Mr. Finch suggested Board Members hold a retreat in Ft. Myers following the July Regular Governing Board meeting. Board Members agreed.

9. Consideration of Future Workshop Agendas

Board Members discussed this issue under Item 8.

I Governing Board Administrative Busin

B. Reports By Board Staff and Committees

1. Committees

I.B.1.

Audit Committee, Report and Recommended Action

Board Members agreed to consider this item following the General Counsel's Report.

2. Staff of the Board

a. Ombudsman's Report

Mr. Richard Williams, Ombudsman, presented the report. A copy of the material used in his presentation is included in the official record of this meeting.

b. General Counsel's Report

Mr. John Fumero, General Counsel, presented the report. A copy of the material used in his presentation is included in the official record of this meeting.

Mr. Fumero outlined the proposed reorganization of sections of the former Office of Government Affairs and Communication under Office of Counsel. He said the reorganization will not affect the Office of Counsel caseload.

Motion by Ms. Carter to approve staff's proposal as presented by General Counsel. Motion approved.

Board Members returned to consideration of Committee Reports.

1. Committees

I.B.1.

Audit Committee, Report and Recommended Action

Mr. Minton, Vice-Chairman of the Audit Committee, presented the report. A copy of the Audit Committee Report is included in the official record of this meeting.

Motion by Mr. Minton to accept the Audit Report and approve recommended actions. Motion approved.

c. Executive Director's Report

District Staff, Presentations

Group

(1.) Water Resources Management Business

No report.

(2.) Water Resources Operations Business Group

No report.

(3.) Corporate Resources Business Group

No report.

I.B.2.c.(3.)

Contract Forecast Summary

Jock Merriam, Deputy Executive Director, Corporate Resources Business Group, presented the summary. A copy of the material used in his presentation is included in the official record of this meeting.

(4.) Everglades Construction Project Office

I.B.2.c.(4.)

Everglades Construction Project Update

Ms. Jennifer Jorge, Deputy Director, Everglades Construction Project, presented the update. A copy of the material used in her presentation is included in the official record of this meeting.

(5.) Government Affairs and Communications

No report.

I Governing Board Administrative Busin

C. Board Comment

Mr. Gleason noted that a Memorial Garden has been dedicated to commemorate the victims of the Hurricane of 1928. Mr. Gleason also commended Ms. Gardenia Long, Office of Government Affairs and Communication, for her work on this effort.

III Listing of Consent Items

Approval of Consent Agendas

Motion by Ms. Carter to approve the Business Consent Agenda. Motion approved.

Motion by Mr. Minton to approve the Regulatory Consent Agenda. Motion approved.

The following items were approved as part of the Business Consent Agenda:

Policy Implementation

1. Water Resources Management Business Group

ENVIRONMENTAL RESOURCE REGULATION

III A. 1. a.

5

Authorize initiation of rule development and publication of notice of rule development with proposed rule text in the Florida Administrative Weekly to amend Section 4.3.7.4, Basis of Review for Environmental Resource Permit applications (May, 2000), incorporated by reference in Rule 40E-4.091(1)(a), Fla. Admin. Code, to provide that any local pollution control program acting pursuant to Section 403.182, F.S., may be a co-beneficiary of

the financial assurance
mechanism and as co-beneficiary
provide written notice to the
District prior to withdrawing or
transferring any portion of the
funds therein.(Susan Martin)

REAL ESTATE, ENGINEERING, AND CONSTRUCTION

III A. 1. b.

6

Approve staff recommendations for releases of District canal, mineral and road reservations, releases of T.I.I.T.F. canal reservations, and issuances of non-use commitments. (Vinola Rada)

III A. 1. c.

7

Approve a Right of Entry instrument to the District to allow temporary installation of a radio communications cable between the District's West Palm Beach Field Station and Operations Facility across a 60 foot wide privately owned parcel. (Pete Schneider)

2. Water Resources Operations Business Group

3. Corporate Resources Business Group

III A. 3. a.

8

Authorize the Construction of a 10,000 SF Receiving and Facility Support building, as part of the B-50 replacement project. (MorrisSewell)

III Listing of Consent Items

A. Policy Implementation (Continued)

3. Corporate Resources Business Group (Continued)

III A. 3. b.

Approve Budget Transfers. (Aaron Basinger)

**4. Everglades Construction
Project Office**

**5. Office of Government Affairs
and Communications**

6. Office of Counsel

III A. 6. a.

9

**Approve settlement agreement
in the worker's compensation
matter** of In re: Gallery as set
forth in the Mediation Report and
Mediation Settlement Agreement
entered May 25, 2000. (James
Nutt)

III A. 6. b.

10

~~**Authorize District staff to file
suit and take all appropriate
action,**~~ including the authority to
settle the matter subject to the
approval of the Executive
Director, ~~**against permittee,
Princeton Homes, Inc.,**~~ in the
19th Judicial Circuit in and for St.
Lucie County regarding the
discharge of turbid waters
originating from its outfall
structures in violation of its
Surface Water Management
Permit, State Water Quality
Standards, and Chapter 373,
Florida Statutes; S7, 8, 17,
18/T36S/R40E, St. Lucie County.
(Kathelyn Jacques-Adams)

This item was deleted.

III Listing of Consent It

C. Procurement Contracts

1. Water Resources Management Business Group

REAL ESTATE, ENGINEERING, AND CONSTRUCTION

III C. 1. a **11**

Authorize a change order to contract C-10419 with M & J Construction Company for S-193 Lock Refurbishment in the amount of \$175,000 which is unbudgeted. Authorize a budget transfer in the amount of \$175,000 from the S-4 Electrical Upgrades project, which has been deferred. (Contract Number **C-10419-CO02**) (John Curley)
NON-COMPETITIVE

III C. 1. b.

12

Authorize an amendment to a contract with Rogelio Sardinias D/B/A Sardinias Farms, Inc. to convert the use of 40 of the 82.32 acres of Rocky Glades agricultural land parcel 100-189 located in Miami-Dade County, Florida, from lime groves to row crops due to citrus canker and reduce the annual rent on those 40 acres from \$802 to \$150 per acre for a total annual revenue to the District of \$39,940.64. (Contract Number **C-10451-A01**) (James Jackson)
NON-COMPETITIVE

III C. 1. c.

13

Authorize entering into a 120-day contract with Lanzo Construction for S-13-A Pipe Liners project in the amount of \$537,000 of which \$280,000 is budgeted, and authorize a budget substitution in the amount of \$257,000 from the PC32-23 Culvert Replacement Project. (Contract # **C-11465**) (Alejandro Garcia)
COMPETITIVE

III C. 1. d.

14

Authorize entering into a 150 day contract with Custom Built Marine Construction, Inc., for C-24 canal bank restoration in the amount of \$284,489 for which funds are budgeted and for which up to \$148,000 in matching funds

will be reimbursed according to a
previously approved cooperative
agreement (C-11464) with FDEP.
(Contract Number **C-11439**)
(Beth Kacvinsky)
COMPETITIVE

III Listing of Consent Items

C. Procurement Contracts

1. Water Resources Management Business Group (Continued)

III C. 1. e.

15

Authorize entering into a 150 day contract with Murphy Construction Company for Cocohatchee Canal Bank Stabilization in the amount of \$386,000 which is unbudgeted, and authorize a budget substitution from the CR 951 Canal Improvements Project. (Contract # **C-11444**) (Robert Laura)
COMPETITIVE

III C. 1. f.

16

Authorize entering into a 270 day contract with Handex of Florida, Inc., in an amount not to exceed \$934,867.53 for canal bank restoration for Canals C-29A, C-31 and C-34, for which funds are budgeted. (Contract Number **C-11459**) (Arijeet Sengupta)
COMPETITIVE

WATERSHED RESEARCH AND

PLANNING

III C. 1. g.

17

Authorize an amendment to a contract with Monroe County for the Florida Keys Wastewater Master Plan to retroactively extend the term by 9 months from December 31, 1999 to September 30, 2000 at no cost to the District. (Contract Number **C-8789-A01**) (Richard Alleman)
NON-COMPETITIVE

III C. 1. h.

18

Authorize an amendment to a contract with Palm Beach County's Department of Environmental Resource Management (DERM) for the Frenchman's Forest Environmental Project to extend the term by six months from September 6, 2000 to March 6, 2001 at no cost to the District. (Contract Number **C-10840-A01**) (Barbara Welch)
NON-COMPETITIVE

III C. 1. i.

19

Authorize entering into a 2 year cooperative agreement with the University of Florida, as a special procurement, to examine the impacts of dredging on internal P loads in Lake Okeechobee in the amount of \$253,000, which is authorized through a budget transfer in the amount of \$9,100 in FY00 and the remainder is subject to Governing Board approval of the FY01 (\$64,300) and FY02 (\$179,600) budgets. (Contract Number **C-11680**) (James Richard III)
NON-COMPETITIVE

III Listing of Consent Items

D. Procurement Contracts

1. Water Resources MANAGEMENT Business Group
(Continued)

III C. 1. J.

Authorize entering into a 5 year cooperative agreement with Florida Atlantic University, as a special procurement, for estuarine research collaboration and support at the Gumbo Limbo Environmental Research Center in an amount not to exceed \$249,148 of which \$12,458 is budgeted in FY00 and the remainder is subject to Governing Board approval of future fiscal year budgets.(Contract # **C-11687**)
(Pat Gostel)
NON-COMPETITIVE

2. Water Resources Operations
Business Group

OPERATIONS CONTROLS

III C. 2. a.

21

Authorize an amendment with Kema Consulting, and authorize a Waiver of Competition as an exception to the general standards of competition for water management system in an amount not to exceed \$124,593 for which funds are budgeted. (**C-11736-A02**) (W. Stewart)
NON-COMPETITIVE

VEGETATION & LAND STEWARDSHIP

III C. 2. b.

22

Authorize entering into a 3 year contract with Applied Aquatic Management, Inc. for ground application services in an amount not to exceed \$420,624 for which funds are budgeted. (Contract Number **C-11629**) (Gordon Baker)
COMPETITIVE

III C. 2. c.

23

Authorize entering into a 50 year agreement with Florida Division of Forestry for land management services, Okaloacoochee Slough, at no cost to the District. (Contract Number **C-10484**) (William Helfferich)

NON-COMPETITIVE

III C. 2. d.

24

Authorize an amendment with Redland Company Inc. to extend the term of the contract for six months to sell existing mined rock at former Griffin Brothers Farm at no cost to the District.(Contract Number **C-10469-A01**) (James Bridgeman)

NON-COMPETITIVE

III Listing of Consent Items

C. Procurement Contracts

2. Water Resources OPERATIONS Business Group

(Continued)

III C. 2. e.

25

Authorize entering into a 120 day contract with Murray LoganConstruction, Inc. for Henderson Creek Structure Modification in the amount of \$198,000 for which funds are budgeted. (Contract Number **C-10425**) (Alejandro Garcia)

COMPETITIVE

3. Corporate Resources

4. Everglades Construction Project Office

5. Government Affairs and Communications

BIG CYPRESS BASIN OFFICE

III C. 5. a.

26

Authorize an amendment to contract C-9707 with Florida Water Services Corporation for Aquifer Storage Recovery Wellfield Expansion-Phase I at no cost to the District, to extend the term by 6 months to January 31, 2001, and to revise the deliverables schedule. (Contract **C-9707-A02**) (Clarence Tears, Jr.)

NON-COMPETITIVE

III C. 5. b.

27

Authorize entering into a 1 year Cooperative Agreement with Collier County for a Cooperative Water Resource Project in the amount of \$56,961 for which funds are budgeted, and authorize a budget transfer from managerial reserves. (Contract Number **C-11756**) (Shabbir Ahmed)

NON-COMPETITIVE

III C. 5. c.

28

Authorize entering into a 1 year Cooperative Agreement with Collier County for a Cooperative Water Resource Project in the amount of \$60,500 for which funds are

budgeted, and authorize a budget transfer from Managerial Reserves. (Contract Number **C-11755**) (Ke Feng)
NON-COMPETITIVE

III C. 5. d.

29

Authorize entering into a 90 day contract with Community Tree/Landscape Company, Inc. for Green Canal Exotic Vegetation Removal, in the amount of \$92,010, which is unbudgeted, and authorize a budget transfer from Managerial Reserves. (Contract # **C-11765**) (Stephen Ladd)
COMPETITIVE

III Listing of Consent Items

C. Procurement Contracts

5. Government Affairs and Communication (Continued)

BROWARD COUNTY BRANCH OFFICE

III C. 5. e.

30

Authorize an amendment with Broward County to retroactively extend the term of contract by 12 months from September 30, 1999 to September 30, 2000 at no cost to the District, to complete Component 1 - the construction of an aquifer storage and recovery well, and Component 5 - the creation of a computer model to improve water management decisions in northern Broward County. (C-3126-A05)

(James Karas)

NON-COMPETITIVE

MIAMI-DADE BRANCH OFFICE

III C. 5. f.

31

Authorize an amendment with the University Of Florida Center For Wetlands for the development and evaluation of a Biscayne Bay regional wetland buffer, and to provide alternative preliminary engineering designs for a regional wetland buffer, to retroactively extend the term by 5 months from February 17, 2000 to July 17, 2000, at no cost to the

District. (Contract Number C-
8932-A02) (Matthew Davis)
NON-COMPETITIVE

6. Office of Counsel

III C. 6. a.

32

Authorize an amendment with the Law Office of Arnold M. Weiner to assign the contract to the firm of Shutts & Bowen and to extend the term ~~by three years~~ from June 30, 2000 to ~~June 30, 2003~~ January 31, 2001, at no cost to the District. (Contract Number **C-7241-A03**) (Ruth Clements)
NON-COMPETITIVE

Board Members returned to consideration of Committee Reports.

Environmental Advisory Committee

Mr. John Arthur Marshall presented the report. A copy of the material used in his presentation is included in the official record of this meeting.

IV Board Discussion/Action: PUBLIC HEARING

Open: Public Hearing

Chairman Collins opened the Public Hearing.

A. Policy Implementation

1. Water Resources Management

ENVIRONMENTAL RESOURCE REGULATION

IV A. 1. a.

Adopt revisions to Rule 40E-4.091, F.A.C. and Section 7.4 of the "Basis of Review for Environmental Resource Permit Applications within the South Florida Water

Management District, May 2000.

Motion by Dr. Gleason to adopt revisions to Rule 40E-4.091, F.A.C. and Section 7.4 of the "Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, May 2000 (formerly November 1996)" to make changes relating to side slopes and add a new provision pertaining to side slopes on golf courses. Motion approved.

REAL ESTATE, ENGINEERING, AND CONSTRUCTION

IV A. 1. b.

"Consider acquisition of part of the Upper Lakes Basin Watershed project comprised of one parcel referred to as SFWMD Tract No. 21-100-358 consisting of approximately 110.0 acres and lying in Section 7, Township 27 South, Range 28 East in Polk County, Florida."

Approve the purchase of land interests containing 110 acres, more or less, in Polk County, Upper Lakes Basin Watershed Project.

Motion by Ms. Carter to approve the purchase of land interests containing 110 acres, more or less, in Polk County, Upper Lakes Basin Watershed Project and authorize a Resolution to the Department of Environmental Protection requesting reimbursement for this acquisition and associated costs. Motion approved.

IV A. 1. c.

"Consider acquisition of part of the CREW project comprised of six parcels referred to as SFWMD Tract Nos. 09-003-233, 09-003-364, 09-005-054, 09-005-131, 09-005-182 and 09-005-184 consisting of approximately 30 acres and lying in sections 27, 28 & 33, Township 47 South, Range 26 East in Lee County, Florida."

Approve the purchase of land interests containing 25 acres, more or less, in Lee County, CREW Project.

Motion by Ms. Williams to approve the purchase of land interests containing 25 acres, more or less, in Lee County, CREW Project and authorize a Resolution to the Board of Trustees of the Internal Improvement Trust Fund requesting reimbursement for this acquisition and associated costs. Motion approved.

IV Board Discussion/Action: PUBLIC HEARING

A. Policy Implementation

1. Water Resources Management (Continued)

IV A. 1. d.

"Consider acquisition of part of the L-31N project comprised of two parcels referred to as SFWMD Tract Nos. B7-100-111 & B7-100-209 consisting of approximately 11.66 acres and lying in Section 4&30, Township 56 South, Range 38 East, in Miami-Dade County, Florida."

Approve the purchase of land interests containing 2.55 acres, more or less, in Miami-Dade County, L-31N Transition Lands Project.

Motion by Ms. Williams to approve the purchase of land interests containing 2.55 acres, more or less, in Miami-Dade County, L-31N Transition Lands Project and authorize a Resolution to the Department of Environmental Protection requesting reimbursement for this acquisition and associated costs. Motion approved.

IV A. 1. f.

Authorize a Resolution to the Department of Environmental Protection ("DEP") requesting reimbursement for fees paid

by the District to The Nature Conservancy Charitable Trust ("TNC").

Motion by Dr. Gleason to authorize a Resolution to the Department of Environmental Protection ("DEP") requesting reimbursement for fees paid by the District to The Nature Conservancy Charitable Trust ("TNC"), under a Cooperative Agreement, as Amended. Motion approved.

IV A. 1. g.

"Consider acquisition of part of the STA-1E project comprised of 1 parcel referred to as SFWMD Tract No. 49-102-136 consisting of approximately 801.22 acres and lying in Sections 3 & 34, Townships 43 & 44 South, Range 40 East in Palm Beach and Martin Counties, Florida."

Approve the purchase of the Release of Surface Exploration Rights to 801.22 acres.

Motion by Dr. Gleason to approve the purchase of the Release of Surface Exploration Rights to 801.22 acres, more or less, located in Palm Beach County, Everglades Construction Project, STA-1E. Motion approved.

IV Board Discussion/Action: PUBLIC HEARING

A. Policy Implementation

1. Water Resources Management

(Continued)

IV A. 1. h.

"Consider acquisition of part of the East Coast Buffer project comprised of one parcel referred to as SFWMD Tract No. W9-100-085 consisting of approximately 626.97 acres and lying in Sections 12 & 13, Township 46 South, Range 39 East in Palm Beach County, Florida."

Update the Board on the environmental report results and exercising of the option contract for the McMurrian Farms Ltd. Acquisition of land interests containing 626.97 acres, more or less, in Palm Beach County, East Coast Buffer Project.

Mr. Blair R. LittleJohn, Interim Division Director, Real Estate, Engineering and Construction, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

IV A. 1. i.

"Consider acquisition of part of the East Coast Buffer project comprised of two parcels referred to as SFWMD Tract Nos. W9-308-229 and W9-312-073 consisting of approximately 11.90 acres and lying in Sections 9, 10 & 18, Townships 52 & 54 South, Range 39 East in Miami-Dade County, Florida."

Approve the purchase of land interests containing 11.90 acres, more or less, in Miami-Dade County, East Coast Buffer Project.

Mr. LittleJohn presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Motion by Ms. Carter to approve the purchase of land interests containing 11.90 acres, more or less, in Miami-Dade County, East Coast Buffer Project, approve declaring surplus, disposal of, and removal from the asset records, any such structures and improvements deemed unnecessary for the stated purpose of the original land acquisition and authorize a Resolution to the Trustees of the Internal Improvement Trust Fund and/or Department of Environmental Protection

requesting reimbursement for this acquisition and associated costs. Motion approved.

IV A. 1. J.

Update on the acquisition of part of the Caloosahatchee Basin Storage Reservoir Project comprised of five parcels referred to as SFWMD Tract No. GX-100-001, GX-100-002, GX-100-003, and GX-100-004.

Mr. LittleJohn said no action is needed today on this item.

IV Board Discussion/Action: PUBLIC HEARING

A. Policy Implementation

1. Water Resources Management (Continued)

IV A. 1. k.

"Consider the disposal of part of the Loxahatchee Slough project comprised of two parcels referred to as SFWMD Tract Nos. DA-100-013 and DA-100-014 consisting of approximately 3.02 acres in fee and 1.20 acres in access easement and lying in Section 35, Township 41 South, Range 41 East in Palm Beach County, Florida."

Approve declaring surplus land interests containing 2.99 acres, more or less, in fee, and an easement encumbering 1.2 acres, more or less, in Section 35, Township 41 South, Range 41 East, Palm Beach County.

Dr. Gleason said the District should seek a commitment from the Florida Fish and Wildlife Conservation Commission to provide environmental education in exchange for this land.

Motion by Dr. Gleason to approve, contingent on obtaining an agreement with the Florida Fish and Wildlife Conservation Commission to provide

environmental education services for a one-year period, declaring surplus land interests containing 2.99 acres, more or less, in fee, and an easement encumbering 1.2 acres, more or less, in Section 35, Township 41 South, Range 41 East, Palm Beach County and authorize the donation of the surplus property to the Trustees of the Internal Improvement Trust Fund (TIITF) on behalf of Florida Fish and Wildlife Conservation Commission, and approve the waiver of the application fee. Motion approved.

2. Water Resources Operations Business Group

No action.

3. Corporate Resources Business Group

No action.

4. Everglades Construction Project Office

No action.

5. Government Affairs and Communications

No action.

6. Office of Counsel

No action.

IV A. 6.

Approve the settlement of pending litigation in the matter of Smith v. SFWMD, et al., Case No. GC00-42, Highlands County Circuit Court.

Ms. Ruth Clements, Attorney, Office of Counsel, presented information on this item. A copy of the material used in her presentation is included in the official record of this meeting.

Motion by Ms. Carter to approve the settlement of pending litigation in the matter of Smith v.

SFWMD, et al., Case No. GC00-42, Highlands County Circuit Court. The settlement includes a three-way land exchange, which involves the acquisition of lands within the boundaries of the East Coast Buffer Project (Broward County - Parcel No. 201.018). Motion approved.

Close: Public Hearing

Chairman Collins closed the Public Hearing.

VI Board Discussion/Action: Items Pulled from Consent Agen

E. Procurement Contracts

1. Water Resources MANAGEMENT Business Group

(Continued)

III C. 1. J.

20

Authorize entering into a 5 year cooperative agreement with Florida Atlantic University, as a special procurement, for estuarine research collaboration and support at the Gumbo Limbo Environmental Research Center in an amount not to exceed \$249,148.

Dr. Gleason suggested a two year cooperative agreement, rather than a five year contract. Mr. Fumero said staff would have to renegotiate the agreement to include an option to renew.

Motion by Ms. Carter to authorize entering into a 5 year cooperative agreement with Florida Atlantic University, as a special procurement, for estuarine research collaboration and support at the Gumbo Limbo Environmental Research Center in an amount not to exceed \$249,148

of which \$12,458 is budgeted in FY00 and the remainder is subject to Governing Board approval of future fiscal year budgets.(Contract # C-11687). Motion approved. Nay - Dr. Gleason.

Any items Pulled from the Regulatory Consent Agenda will be discussed after 2:00 P.M.

VII Board Discussion/Action: DISCUSSION ITEMS

A. Policy Implementation

1. Water Resources Management Business Group

ENVIRONMENTAL RESOURCE REGULATION

VII A. 1. a. **42**

Briefing on Regulatory Permit Fees and options for increasing recovery of program costs

Ms. Terrie Bates, Director, Environmental Resource Regulation, presented information on this item. A copy of the material used in her presentation is included in the official record of this meeting.

Board Members agreed to consider this issue during the budget process.

WATERSHED RESEARCH AND PLANNING

VII A. 1. b.

APPROVE PRESENT the June 2000 Update of the Loxahatchee River Wild and Scenic River Management Plan.

Mr. Frank Lund, Sr. Environmental Scientist, Coastal Ecosystems Dept., WRP Division, presented information on this item. . A copy of the material used in his presentation is included in the official record of this meeting.

Ms. Patricia Strayer, Director, Kissimmee River Restoration, said staff will seek approval of this item at the August 2000 Board meeting.

2. Water Resources Operations Business Group

No action.

3. Corporate Resources Business Group

No action.

4. Everglades Construction Project Office

No action.

5. Government Affairs and Communications

No action.

6. Office of Counsel

No action.

VII Board Discussion/Action: DISCUSSION ITEM

Permits Regulatory Matters

1. Water Resources Management Business Group

ENVIRONMENTAL RESOURCE REGULATION

VII B.1. a.

Briefing on Rulemaking efforts in the EAA and C-139 Basins

Ms. Sharon Trost, Director, Everglades Stormwater Program, presented information on this item. A copy of the material used in her presentation is included in the official record of this meeting.

2. Water Resources Operations Business Group

No action.

3. Corporate Resources Business Group

No action.

4. Everglades Construction Project Office

No action.

5. Government Affairs and Communications

No action.

6. Office of Counsel

No action.

VII Board Discussion/Action: DISCUSSION ITEM

B. Procurement Contracts

1. Water Resources Management Business Group

No action.

2. Water Resources Operations Business Group

No action.

3. Corporate Resources Business Group

No action.

4. Everglades Construction Project Office

No action.

5. Government Affairs and Communications

No action.

6. Office of Counsel

No action.

VIII Regulatory Consent Agenda Considered

The Regulatory Consent Agenda was approved earlier in the meeting.

Additions, deletions, and substitutions

Ms. Terrie Bates, Director, Environmental Resource Regulation noted the following changes handed out as additional backup to the Regulatory Consent Agenda (Item VIII-B-2):

PERMIT APPLICATIONS

Surface Management

Water

Palmer Ranch and Cattle Company (page 3, paragraph 2): Addendum to revise Exhibit 3 and land use

Environmental Resource

City Furniture (page 1, paragraph 2): 30.70 total acres wetlands

Windsong PUD Villas at Greenwood Lake (page 2, paragraph 3): Postponed to July 13 Board

Baker Road Park Project (page 5, paragraph 1): Postponed to July 13 Board

101 Ranch (page 7, paragraph 1): Environmental Resource Permit (Construction/ Operation Modification), 172.59 total acres wetlands, 172.59 total acres wetlands preserved

Sims Creek Rehabilitation and Erosion Protection (page 11, paragraph 8): Addendum to revise special conditions and mitigation monitoring

Environmental Resource General Permit Denial

Sunshine Wireless (page 15, paragraph 2): Withdrawn

Environmental Resource Denial

City of North Miami Mitigation Bank (Munisport) (page 16, paragraph 1):

Postponed to July 13 Board

Environmental Resource
Resource **Consent Agreements** Environmental Resource

Jenson Beach Land Company, Ltd. and Renar/JBCC, Inc. (page 18, paragraph 1):

Postponed to July 13 Board

Pembroke Springs, Ltd. (page 18, paragraph 4):
Postponed to July 13 Board

St. James Golf Club, Ltd. (page 19, paragraph 12):
Postponed to July 13 Board

Elsie Lanier (page 20, paragraph 13): Postponed to July 13 Board

Water Shortage Variances

Lower West Coast (page 23, paragraph 1): Added

The following items were approved as part of the Regulatory Consent Agenda:

B. Permits Regulatory Matters

VIII B.1.

45

**Consider Consent Agenda for
Governing Board approval, which
includes Water Resources
Operations items:**

Right of Way Occupancy New Permits
Right of Way Occupancy Permit Modifications
Right of Way Occupancy Permit Requests for Waiver of

District Criteria

VIII B.2.

46

**Consider Consent Agenda for
Governing Board approval, which
includes Regulatory Items:**

	Water Use Permit Applications
	Surface Water Management Permit Applications (includes Conservation Easements)
Conservation	Environmental Resource Permit Applications (includes Easements)
Applications	Lake Okeechobee SWIM Works of the District Permit Everglades Works of the District Permit Applications Denials Surface Water Management Extensions Consent Agreements Conservation Easements Seminole Tribe Work Plans <u>Water Shortage Variances</u>

Final Board Comment

Board Members commended Mr. Dewey Worth for his effort in addressing issues of concern regarding the 8.5 Square Mile Area.

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 4:00 p.m.

MICHAEL COLLINS, CHAIRMAN

(Corporate Seal)

Attest:

FRANK FINCH, SECRETARY

/aab

**MINUTES OF A SPECIAL BUDGET/WORKSHOP MEETING
OF THE GOVERNING BOARD
OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT
HELD AT SHERATON HOTEL - WEST PALM BEACH, FL
JUNE 28, 2000
9:30 A.M.**

The following **Board Members** were present

Michael Collins, Chairman
Michael Minton
Vera Carter
Mitchell Berger
Nicolas Gutierrez
Patrick Gleason
Trudi Williams
Harkley Thornton
Gerardo Fernandez

Frank R. Finch, Executive Director

I. Opening remarks

Mr. Finch presented opening remarks.

II. Chairman Comments

Chairman Collins said action will be taken by the Governor's Office based on what the District has committed to do with this budget.

III. FY2001 budget Development Process and Current Status

Mr. Aaron Basinger, Budget Director, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

IV. Implementation of CERP Redirections/Reductions

Mr. Steve Reel, Director, LEC, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

PUBLIC COMMENT

Mr. Fred Rapach, Budget Review Commission, commented on CERP funding.

Mr. Rick Coleman, City of Orlando Utilities, commented on the Kissimmee Basin water supply.

Mr. Rob Tiegarden, City of Orlando Utilities, commented on CERP projects located in Orange and Osceola Counties.

Program Overviews

Mr. Joseph Taylor, Deputy Executive Director, Water Resource Operations, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Mr. Jock Merriam, Deputy Executive Director, Corporate Resources, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

Ms. Terrie Bates, Deputy Executive Director, Water Resource Management, presented information on this item. A copy of the material used in her presentation is included in the official record of this meeting.

Mr. Joe Schweigart, Director, Everglades Construction Project, presented information on this item. A copy of the material used in his presentation is included in the official record of this meeting.

BOARD COMMENT

Board Members provided the following direction to staff regarding budget development:

- Re-examine STA Advanced Treatment Technology funding.
- Re-examine and further explore projects with matching funds.
- Re-examine projects from the perspective of county contributions/benefits.
- Re-examine possible funding options for the Alternative Water Supply Program.
- Provide the Board with a list of unfunded mandates.
- Provide the Board with staffing analysis/comparison.

ADJOURNMENT

There being no further business or discussion to come before the Board, the meeting was adjourned.

